

10/593104

DOCKET NO. MC1-8347

1AP9/Rec'd PCT/PTO 15 SEP 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Applicant: Andrew Mark Shaw
Serial No.:
Filed: herewith
For: *Fluid Monitoring Apparatus and Methods*
Art Unit:
Examiner:

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, publications and other information listed on the attached PTO-1449. A copy of each listed foreign patent document and other publication is enclosed. No U.S. Patents nor any published U.S. Patent Applications are enclosed.

Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- (a) _____ Copy of each English language version of a search report indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
- (b) _____ Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents".

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

- (a) ☒ Within 3 months of the filing date or date of entry into the National Stage.
- (b) _____ Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 20-0090 for consideration of this Statement.

(c) _____ After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.

(1) _____ The required certification is given below, or

(2) _____ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement, or

(3) _____ Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 20-0090.

(d) _____ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.

(1) _____ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(i)(1), or

(2) _____ Charge the fee set forth in 37 C.F.R. 1.17(i)(1) to Deposit Account No. 20-0090.

4. Certification (if applicable)

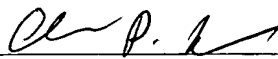
(a) _____ The undersigned hereby certifies that each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.

(b) _____ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the undersigned's knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-0090.

Respectfully Submitted,

TAROLLI, SUNDHEIM, COVELL, & TUMMINO L.L.P.

By: 
Christopher P. Harris
Reg. No. 43,660

CUSTOMER NUMBER: 26294

TAROLLI, SUNDHEIM, COVELL & TUMMINO LLP
1300 East Ninth Street, Suite 1700
Cleveland, Ohio 44114
(216) 621.2234

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | | | | | |
|--|---|----------------------|---|--------------------------|----------|
| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | Complete if Known | |
| | | Application Number | | | |
| | | Filing Date | | Herewith | |
| | | First Named Inventor | | Andrew Mark Shaw | |
| | | Art Unit | | | |
| | | Examiner Name | | | |
| Sheet | 1 | of | 1 | Attorney Docket Number | MC1-8347 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|-----------------------|---|--------------------------------|--|---|
| Examiner Initials | Cite No. ¹ | Document Number Number-Kind Code ² (If Known) | Publication Date MM-DD-YYYY | Name Of Patentee Or Applicant Of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear |
| | | US-5,239,176 A | 08-24-1993 | Stevenson, et al. | Figs. 1-4 |
| | | US-2002/122179 A1 | 09-05-2002 | Pipino, Andrew C.R et al. | Figs. 2,3 |
| | | US-4,945,245 A | 07-31-1990 | Levin, et al. | Figs. 4,5 |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-----------------------|--|--------------------------------|---|--|----------------|
| Examiner Initials | Cite No. ¹ | Foreign Patent Document Country Code-Number-Kind Code (If Known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | EP 0 417 700 A | 03-20-1991 | The State of Israel Atomic Energy Commission Soreq Nuclear Research | Figs. 1,2,6 | |
| | | EP 1 195 582 A | 04-10-2002 | Eidgenoessische Technische Hochschule Zuerich | Figs. 1-10 | |
| | | JP 05 172732 A | 07-09-1993 | Hitachi Electron Eng. Co. Ltd | Abstract Fig. 1 | |
| | | GB 2 212 261 A | 07-19-1989 | * STC PLC | Fig. 1 | |
| | | GB 2 171 796 A | 09-03-1986 | * Coal Industry | Fig. 1 | |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|---|----------------|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published | T ² |
| | | International Search Report for corres. PCT/GB2005/050035 completed May 25, 2005 by W. Mason of the EPO | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

| | |
|---------------------------|------------------------|
| Examiner Signature | Date Considered |
|---------------------------|------------------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.